

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION	)	
and GENEVANT SCIENCES GMBH,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 22-252 (JDW)
	)	
MODERNA, INC. and MODERNATX, INC.,	)	
	)	
Defendants.	)	

**STIPULATION AND [PROPOSED] ORDER REGARDING  
EXTENSION OF CERTAIN DEADLINES**

WHEREAS, the parties met and conferred regarding this Court's general sealing procedures and the impact of those procedures on the parties' motions for summary judgment, motions to exclude expert evidence, and *Daubert* motions, the deadlines for which are set forth in Docket Item 485;

WHEREAS, in view of this Court's procedures concerning the filing of documents under seal and seeking leave to file under seal in conjunction with any such submissions, there is good cause to modify the procedures set forth in the parties' Stipulation Regarding Sealed Filings (D.I. 155) for the aforementioned motions and all filings related thereto;

WHEREAS, this Court has previously adopted sealing procedures that permit service of motion papers prior to the filing deadline so that the parties may coordinate on any necessary motion to seal, *see, e.g., PACT XPP Schweiz AG v. Intel Corp.*, C.A. No. 19-1006-JDW (D. Del.) at D.I. 269, 304, 338;

WHEREAS, the parties agree to serve upon one another by 5:00pm ET on each deadline set forth in Docket Item 485 final versions of all papers associated with the aforementioned motions, and the designating party will thereafter identify any information that should be

designated as confidential in any motion for leave to file under seal, as well as any proposed excerpting to remove unnecessary confidential information, no more than two (2) business days later (one (1) business day with respect to the sur-replies), and the designating party will provide support for the sealing of any such designated material; and

WHEREAS, the parties agree to confer in good faith thereafter, and (1) the non-designating party will notify the designating party within 1 business day after receiving the designation whether the party plans to oppose the sealing of any designated information, and the party's basis for opposing, and (2) the designating party will notify the other party of the final set of information that will be subject to a motion to seal no later than 24 hours prior to the filing deadline; and

WHEREAS, the parties agree to file their respective motion papers and any supporting motions to seal within five (5) business days following the date on which the papers were served, except for the sur-replies, which will be filed within two (2) business days;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the deadlines set forth in Docket Item 485 are amended as follows:

<b>Submission</b>	<b>Deadline (by 5:00pm ET)</b>
Service of oppositions/responses to summary judgment (35 pages) and motions to exclude expert evidence (25 pages)	August 22, 2025
Filing of oppositions/responses to summary judgment, oppositions/responses to motions to exclude expert evidence, and any supporting motions to seal	August 29, 2025
Service of replies regarding summary judgment (if necessary) (20 pages) and replies regarding 7/25/25 motions to exclude expert evidence (10 pages)	September 5, 2025
Filing of replies regarding summary judgment, replies regarding 7/25/25 motions to exclude expert evidence, and any supporting motions to seal	September 12, 2025

Service of sur-replies on the issues of indefiniteness and § 1498 liability (if necessary) (10 pages) and replies regarding 8/22/25 motions to exclude expert evidence (10 pages)	September 19, 2025
Filing of sur-replies on the issues of indefiniteness and § 1498 liability and replies regarding 8/22/25 motions to exclude expert evidence, and any supporting motions to seal	September 23, 2025
Service of <i>Daubert</i> motions (25 pages)	November 7, 2025
Filing of <i>Daubert</i> motions and any supporting motions to seal	November 14, 2025
Service of oppositions to <i>Daubert</i> motions (25 pages)	November 21, 2025
Filing of oppositions to <i>Daubert</i> motions and any supporting motions to seal	December 2, 2025
Service of replies in support of <i>Daubert</i> motions (if necessary) (10 pages)	December 5, 2025
Filing of replies in support of <i>Daubert</i> motions and any supporting motions to seal	December 12, 2025

IT IS FURTHER STIPULATED that after the initial service is made of the final version of the aforementioned motion papers, no changes can be made to any papers absent consent of the other party.

No other deadlines set forth in Docket Item 485 are altered by way of this Stipulation.

SHAW KELLER LLP

*/s/ Nathan R. Hoeschen*

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**SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_ 2025.

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UNITED STATES DISTRICT JUDGE